

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

CRIMINAL NO.: 5:14cr72-RLV

FILED
CHARLOTTE, NC
AUG 25 2015
U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	CONSENT ORDER AND
)	JUDGMENT OF FORFEITURE
(1) MARIA ABERNETHY,)	PENDING RULE 32.2(c)(2)
)	
Defendant.)	

BASED UPON the Defendant's plea of guilty and finding that there is a nexus between the property listed below and the offense(s) to which the Defendant has pled guilty and that the Defendant (or any combination of Defendants in this case) has or had a possessory interest or other legal interest in the property, IT IS HEREBY ORDERED THAT:

1. The following property is forfeited to the United States pursuant to 21 U.S.C. § 853, provided, however, that forfeiture of specific assets is subject to any and all third party petitions under 21 U.S.C. § 853(n), pending final adjudication herein:

Approximately \$254,030 in United States currency

Approximately \$4,417.00 in United States currency

One Century International Arms rifle, serial number Y000048 and ammunition

One Winchester Model 290 rifle, serial number 143084 and ammunition

One Ruger 22LR rifle, serial number 358-06437 and ammunition

One Bersa Thunder .380 pistol, serial number B33360 and ammunition

One Ruger Target .22 caliber pistol, serial number 273-84422 and ammunition

Miscellaneous ammunition seized from 114 Teross Lane, Troutman, North Carolina

One 2013 Honda Odyssey EX-L, VIN# 5FNRL5H68DB006883

One 2007 Ford Explorer, Eddie Bauer edition, VIN # 1FMEU74E97UB02467

Real property at Lot No. 4 of the W.S. Long property, more particularly described in Deed Book 1596, Page 61 in the Edgecombe County Register of Deeds

Real property at Lots 5 and 6 in the Fieldstone Subdivision, more particularly described in Deed Book 575, Page 390 in the Caswell County Register of Deeds.

Real property at Lot No. 4 of the Longview Subdivision, more particularly described in Deed Book 10739, Page 303 in the Cabarrus County Register of Deeds.

Real property located at 107 Teross Lane, Troutman, North Carolina, more particularly described in a deed recorded at Deed Book 2328 Page 469 in the Iredell County Public Registry

Real property located 114 Teross Lane, Troutman, North Carolina, more particularly described in a deed recorded at Deed Book 2328 Page 469 in the Iredell County Public Registry

2. The United States Marshals Service, the investigative agency, and/or the agency contractor is authorized to take possession and maintain custody of the above specific asset(s).

3. If and to the extent required by Fed. R. Crim. P. 32.2(b)(6), 21 U.S.C. § 853(n), and/or other applicable law, the United States shall publish notice and provide direct written notice of forfeiture.

4. Any person, other than the Defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest.


5. Pursuant to Fed. R. Crim. P. 32.2(b)(3), upon entry of this order, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate, or dispose of the property, including depositions, interrogatories, and request for production of documents, and to issue subpoenas pursuant to Fed. R. Civ. P. 45.

6. As to any specific assets, following the Court's disposition of all timely petitions, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.


The parties stipulate and agree that the aforementioned asset(s) constitute property derived from or traceable to proceeds of Defendant's crime(s) herein or property used in any manner to facilitate the commission of such offense(s) and are therefore subject to forfeiture pursuant to 21 U.S.C. § 853. The Defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against Defendant. If

the Defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, Defendant hereby withdraws that claim. If Defendant has not previously submitted such a claim, Defendant hereby waives all right to do so.

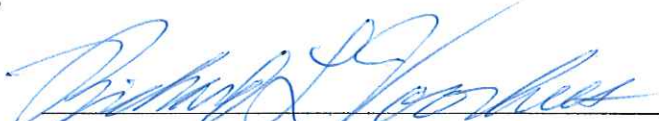
JILL WESTMORELAND ROSE
ACTING UNITED STATES ATTORNEY


ELIZABETH F. GREENE
Assistant United States Attorney

 X
MARIA ABERNETHY
Defendant


JOHN PARKE DAVIS, ESQ.
Attorney for Defendant

Signed this the 20th day of ^{AUG.}~~July~~, 2015.


UNITED STATES DISTRICT JUDGE